

CMRS BOARD MEETING MINUTES

May 27, 2004

CMRS BOARD OFFICE

21 MILLCREEK PARK

FRANKFORT, KY

Board Members Present: David Lucas, Dee Hopper, Richard Guittar, Forest Skaggs, Rob South, Laura Phipps, and Jennifer Jackson (Staff)

Board Members Absent: Major Sonny Cease

I. Chair, Laura Phipps called the meeting to order at 1:10 p.m. and introduced Ken Mitchell and Rodney Murphy from Commonwealth Office of Technology.

II. Approval of Minutes

Minutes from March 25, 2004 were reviewed and amended. Forest Skaggs made a motion to approve the minutes as amended. David Lucas seconded. All were in favor.

III. Board Administration Position – Board Discussion

Rodney Murphy spoke and was stated that he had been asked by Finance Administration Secretary Robbie Rudolph to offer assistance with loss of John Patterson. He mentioned Mike Inman (CIO) could not attend the meeting and conveyed his apologies. Rodney offered help from staff.

Rodney Murphy explained that he is the Executive Director of Office of Infrastructure Services involved in KIH, KEWES, and KWIEC. He doesn't know what his role will be when new administration reorganization is complete. Rodney can be reached by phone at (502) 564-6824 or by email at Rodney.Murphy@ky.gov.

There was a discussion regarding the fact that John Patterson has been terminated as administrator and a search for a candidate to replace him needs to begin.

Laura asked for volunteers for a personnel committee and a discussion on the operations of the committee took place. The committee would search for candidates and narrow the candidates down to the top five before the next board meeting July 22nd. Volunteers were taken and the committee was created to include David Lucas, Dee Hopper, Rob South, and Forest Skaggs.

David made a motion for the board to approve expenditures for advertisement for administrator up to \$6000. Richard seconded the motion. The motion was amended to include advertisement and recruitment. The motion carried.

The sub-committee will work out the details for the cutoff of resume acceptance and be ready to submit up to 5 names to the board at the July 22nd board meeting. Background checks will be done after July meeting but before the board interviews.

Committee will meet Thursday, June 3 at 1p.m. Jennifer will send out conference bridge numbers.

IV. PSAP Certification Committee – Forest Skaggs said there were no meetings and no applications at present time.

V. PSAP Phase II Committee – David Lucas noted that certification is due July 1. He will compose a cover letter notifying PSAP's. The board will provide propagation for initial re-certification but the deadline is still July 1. Mary asked if this deadline included extended ALI etc.

VI. Cost Recovery Committee – Richard Guittar reported that the committee discussed 4 plans.

Sprint submitted amended Phase I plan to the sub-committee. Richard motioned the board approve the Sprint plan dated March 9, 2004. The motion was seconded by Dee. The motion carried.

NTelos who covers 4 counties near Ashland presented an amended Phase I and Phase II plan. Richard made a motion that the nTelos Phase I and Phase II cost recovery plan be approved as submitted. Dee seconded and the motion carried.

Richard reported that Bluegrass Cellular has presented an amended Phase II plan for Allen and Green Counties and he explained details of the change in the plan. Richard moved for the plan to be approved for cost recovery purposes. Dee seconded. A discussion followed. Under the unique circumstances that the FCC required Bluegrass Cellular to provide this service, this should be a recoverable cost. The motion carried, David Lucas abstained.

Cingular Wireless submitted a change in billing arrangement to simplify invoices. More information is needed regarding this submission, Richard and Jennifer will talk to Cingular to acquire the needed information.

Other CR Issues – The prepaid issue was discussed and the Cost Recovery committee recommends the board go directly to AG office for opinion and asked if the legislation needs to be changed and if there is enough language to enforce payment. Laura asked Rodney Murphy's opinion on whether or not there would be any problem going directly to AG and Rodney did not think so. Rodney and Jennifer will do a letter and packet for Laura to sign and send.

There was a discussion regarding sending a letter to TracFone stating that according to the statute they are responsible for submitting the fee. Laura suggested letters be sent to all carriers asking that they remit the surcharge on prepaid service.

Laura will respond to TracFone's correspondence.

- VII. CR Invoices – There was a discussion regarding the fact that AT&T Wireless has presented cost recovery invoices in excess of the 125% of their remittance as allowed by statute. The statute states that reimbursement is limited to the 125% without prior approval from the Board. Laura recommends paying up to the 125% cap but no more. David made a motion to approve the invoices up to the 125% cap. Dee seconded the motion. In discussion, Forest urged the board to re-consider. John Patterson urged board to consider this extensively due to legislation that the fund could be raided. Rodney stated concern that this creates disincentives for proactive carriers. Jennifer will get information for board members to make a decision regarding the payment to AT&T Wireless and the 125% rule. Motion carried, Rob and Richard abstained.

Richard made a motion to pay cost recovery invoices in the amount of \$4,165,783.94. Forest seconded and the motion carried.

- VIII. Financial Report – Jennifer Jackson noted that the statements are in the packet. Jennifer will get travel forms to those who will be going to the national conference to help in tracking expenses.

- IX. Administrator's Report – There was a short discussion regarding the hiring of a GIS person and the Phase II audits. The Bell South proposal was discussed and Laura's signature will be needed on that contract. There was also a discussion about getting payment to Bell South through Christian County. An MOA with Christian County will be required. Rodney Murphy will take care of this.

Rodney gave an update on KIH. It currently expires September 1, 2005 with a 1-year transition. The new contract owner will be taking over during the transition.

Regulation changes have not been submitted, Rodney will get Angela Robinson in Finance to start the change process.

- X. Comments/Discussions from Floor – An expression of support was made to John Patterson for his work and dedication to 911 and the board wished him well. John expressed his thanks for the opportunity to have worked with the board.

David made a motion to adjourn at 3:22. Rob seconded. The motion carried.